



DEPARTMENT OF EDUCATION

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Susan S. Bunting, Ed.D.
Secretary of Education
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May 15, 2019

Via email attachment and U.S. Mail

Josiah Wolcott, Board President
Building 20, Barley Mill Plaza
4319 Lancaster Pike
Wilmington, DE 19805

Dear Mr. Wolcott:

Please be advised that, for the reasons set forth below, the Delaware Department of Education (the Department) has placed the charter of Odyssey Charter School (OCS) on Formal Review, pursuant to Title 14, Delaware Code, Section 515(b), to determine whether the school is violating the terms of its charter and, if so, whether to order remedial measures.

Concerns were brought to the DOE Charter School Office from parents, teachers and community members regarding OCS's governance and financial dealings. These concerns were reported beginning in June of 2018 and have continued until the present. In light of the complaints and DOE's concerns with OCS's governance structure, DOE sought an advisory opinion from the Public Integrity Commission (PIC) to address potential financial and governance improprieties and conflicts of interest.¹ Despite the recommendations provided by PIC and DOE's attempts to cooperate with OCS, the school has not adequately addressed the issues presented. As such the Department of Education will place OCS under formal review for investigation into the following:

- ***Violation of 14 Del. C. § 516(a): "Misappropriation of state funds" and therefore the school's charter.***
 - Ithaka early learning center was formed under the American Hellenic Educational Progressive Association (AHEPA) umbrella. To date, \$108,000 of OCS money has gone into the Ithaka project. OCS referred to this as a loan in PIC meetings. There is no loan documentation.
 - A gala took place on February 2, 2019, to support Ithaka Learning Center and Odyssey Charter School. Invoices for the event were billed directly to OCS. The invitations came from AHEPA, OCS and Ithaka with AHEPA displayed first and most prominently.
- ***Violation of the school's conflict of interest policy, therefore of the school's charter.***
 - The OCS Board discussed "finding a job" for a former board president. The board president was involved in creating the job description and qualifications for which he was an applicant and ultimately put forward by the hiring committee as the successful candidate (though not hired). The hiring committee was chosen by the AHEPAN controlled board (5/9ths majority) and contained two AHEPAN members (also a *Violation of 14 Del. C. § 516(a)*).
 - The OCS Board President is chosen by AHEPA in a meeting that is not only closed to the public, but closed to females, according to the OCS Board President.
 - A majority of the OCS Board is made up of AHEPAN members. This presents a conflict of interest when a majority of the board belongs to the same fraternal organization. Bylaws and policies have been ignored, ineffective or both.

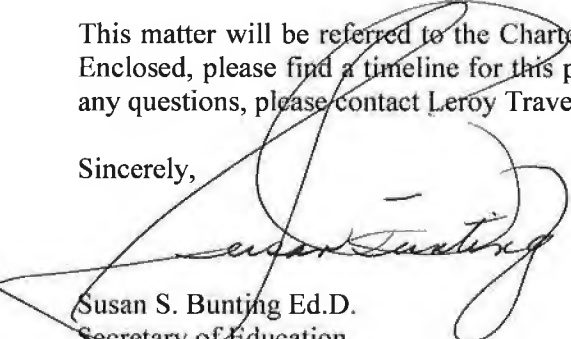
¹ DOE acknowledges that OCS first sought an opinion from the PIC and OCS's request was consolidated with DOE's and heard before the PIC on March 19, 2019.

- ***Violation of the school's conflict of interest policy, therefore of the schools charter. Additionally, violation of 512(15): "The school shall have a satisfactory plan to ensure the effectiveness of its board of trustees....", therefore of the school's charter.***
 - A super-majority voting policy was passed at an OCS board meeting on November 14, 2018. At an OCS board meeting on December 18, 2018, OCS Board President made a Point of Order and overturned the vote stating that the board did not have proper time to consider the policy.
 - The newly formed Odyssey Education Association voted "No-confidence" in a majority of the OCS Board.
 - All Non - AHEPAN board members are chosen by a nominating committee comprised of three people. One AHEPAN, one member of the Sisters of Penelope, and one non-AHEPAN. This gives the AHEPAN umbrella a majority vote on non-AHEPAN members.
- ***Violation of Art I, §21 of the Delaware Constitution: "Equality of rights under the law shall not be denied or abridged on account of sex" and therefore of the school's charter.***
 - The OCS Board President is chosen by AHEPA in a meeting that is not only closed to the public, but also closed to females.
- ***Violation of 29 Del. C. § 5805(a)(1), "In their official capacity, employees may not review or dispose of matters if they have a personal or private interest in a matter before them" and therefore of the school's charter.***
 - OCS Board members who also belong to AHEPA have an inherent conflict of interest when voting on matters in which AHEPA is involved, given the current majority AHEPAN rule.
- ***Violation of 29 Del. C. § 5806(a): "Employees may not engage in conduct that may raise suspicion among the public that they are engaging in conduct contrary to the public trust" and therefore of the school's charter.***
 - See all above.

During a meeting on April 8, 2019, DOE requested that on or before May 1, 2019, the OCS Board of Directors submit a plan to fully and completely address these issues. OCS submitted its plan in a timely manner; however, it does not fully and completely address these issues.

This matter will be referred to the Charter School Accountability Committee (CSAC) for review and recommendations. Enclosed, please find a timeline for this process, including the dates of CSAC meetings and public hearings. If you have any questions, please contact Leroy Travers in the Charter School Office at 302-735-4020.

Sincerely,



Susan S. Bunting Ed.D.
Secretary of Education

Cc: Denise Parks, Co-Head of School, Odyssey Charter School
Riccardo Stoeckicht, Co-Head of School, Odyssey Charter School
Christine Alois, Deputy Secretary of Education
Chuck Longfellow, Associate Secretary of Education, Operations Support
Leroy Travers, Lead Education Associate, Charter School Office

| School Name | Reason for CSAC Meetings | Initial CSAC Meeting | Initial CSAC Report Delivered | Initial Public Hearing | School Response Due (15 days) | Final CSAC Meeting | Final CSAC Report Delivered | Final Public Hearing | Public Comments Closes | Secretary Decision to State Board for Assent (as required) |
|------------------------|--------------------------|--|-------------------------------|---|----------------------------------|---|-----------------------------|---|------------------------|--|
| Odyssey Charter School | Formal Review | 5/28/2019 11:00 AM Cabinet Room Delaware Department of Education 401 Federal Street Dover, DE 19901 | 5/31/2019 | 6/11/2019 5:00 PM Cabinet Room Delaware Department of Education 401 Federal Street Dover, DE 19901 | 6/17/2019 | 6/24/2019 1:00 PM Cabinet Room Delaware Department of Education 401 Federal Street Dover, DE 19901 | 6/28/2019 | 7/8/2019 5:00 PM 2nd Floor Auditorium Carvel Building 820 N. French St. Wilmington, DE 19801 | 7/12/2019 | 7/18/2019 |